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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/267,223	03/11/1999	BRADLEY S. RICHTER	EFIM0205	6746

31408 7590 11/03/2005

LAW OFFICE OF JAMES TROSINO  
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EXAMINER

GARCIA, GABRIEL I

ART UNIT PAPER NUMBER

2624

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/267,223

Applicant(s)

RICHTER ET AL.

Examiner

Gabriel I. Garcia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

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### Part III DETAILED ACTION

#### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 rejected under 35 U.S.C. 103(a) as being unpatentable over Hagiuda et al. (6,182,225) in view of Jarrad (6,047,197).

With regard to claim 1; Hagiuda et al. teaches a printing system (e.g. fig. 1), comprising: a network (100, 110, or LAN); a plurality of output printing devices coupled to the network (see fig. 9), each output printing (112 and 112) coupled the network (110), each output printing device comprising status information (e.g. fig. 7); an application (see fig. 152) connected to the network, the application adapted to receive and display the status information of all of the output printing devices (see col. 14, lines 32-54, col. 15, lines 15-62, col. 23, lines 54-57, and col. 39, lines 49-56 and table 1, figs. 6, 15, 43 and 54, which describes how the different devices are displayed and information can be shown); a user interface (510, 606 and 607) in communication with the application (reads in data stored in ROM or RAM of fig. 5) adapted to display print job interface (e.g. figs. 7 and 8) and displaying output printing device interface (e.g. figs. 7, 8 and 15). However, Hagiuda et al. fails to teach a toolset selector having two

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positions for adapted to display print job interface and output printing device interface.

Jarrad (in the field of user interface displaying information) teaches that it is well known in the art to provide a toolset selector (20) having two position for different modes of displaying data (e.g. col. 3, lines 52-65). Hagiuda et al. teaches displaying data in different modes such as displaying print job interface (e.g. figs. 7 and 8) and displaying output printing device interface (e.g. figs. 7,8 and 15). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified the displaying modes of Hagiuda et al. with the switching mechanism as shown by Jarrad, in order to switch between the two display modes, allowing the user to easily change between display modes.

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified Hagiuda et al. by the teaching of Jarrad because of the following reason(s): (1) for the reasons as suggested by Jarrad in col. 3, lines 52-65, allowing the apparatus having the toggle selector to switch between display modes; (2) so that the system taught the combination of Hagiuda et al. and Jarrad can produce a user interface that allows the user to easily display the two types of information easier; and (3) to improve the versatility of the system of Hagiuda et al. allowing the user to switch between display modes, by activating the toggle selector as described by Jarrad .

With regard to claims 2 and/or 3, Hagiuda et al. teaches wherein the output printing device is a printer or copier (e.g. figure 1, item 110 or 117).

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With regard to claims 4 and 7, Hagiuda et al. teaches wherein the at least one of the plurality of features is a paper output (or input) tray information (e.g. col. 18 and table 6).

With regard to claims 5 and 6, Hagiuda et al. teaches wherein said at least one of said plurality of features is teaches wherein said output printing device is toner level information or fuser level information (col. 13, lines 29-39 and col. 40).

With regard to claim 8, Hagiuda et al. teaches wherein said at least one of said plurality of features is output printing device service information (e.g. col. 13, lines 30-38).

With regard to claim 10, Hagiuda et al. further comprises a client computer (500) that comprises the application (e.g. cols. 16-18 and col. 64, lines 44-51).

### ***Conclusion***

3. Applicant's arguments with respect to the pending claims have been considered but are not found to be persuasive.

With regard to Applicant's argument that Hagiunda does not describe or suggest a printing system including an application adapted to receive and display the status information of **all** of the output devices. Examiner disagrees with Applicant's conclusion. Examiner asserts that Hagiunda does teach a printing system including an application adapted to receive and display the status information of all of the output devices (see col. 14, lines 32-54 and col. 15, lines 15-62, col. 23, lines 54-57, and col. 39, lines 49-56

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and table 1, figs. 6,15, 43 and, which describes how the different devices are displayed and information can be shown). Col. 23, lines 54-57, clearly describes that **all** the devices can be display, and the status of the devices can be shown by an additional icon.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it was shown that Hagiuda et al. teaches displaying data in different modes such as displaying print job interface (e.g. figs. 7 and 8) and displaying output printing device interface (e.g. figs. 7,8 and 15). Therefore, it would have been obvious to a person having ordinary skill in the art at the time the invention was made to have modified the displaying modes of Hagiuda et al. with the switching mechanism as shown by Jarrad, because of the following reasons: 1) in order to allow the system of Hagiuda et al to switch between the two display modes, allowing the user to easily change between display modes, and 2) in order to allow the system of Hagiuda et al to improve the versatility of displaying data.

In response to applicant's argument that Cellular telephones is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's

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endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, Jarrad is reasonably pertinent to the particular problem of displaying information and selecting modes.

**5. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gabriel I. Garcia whose telephone number is (571) 272-7434. The Examiner can normally be reached Monday-Thursday from 7:30 AM-6:00 PM. The fax phone number for this group is (571)-273-8300.

On July 15, 2005, the Central FAX Number will change to 571-273-8300. This new Central FAX Number is the result of relocating the Central FAX server to the Office's Alexandria, Virginia campus.

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Most facsimile-transmitted patent application related correspondence is required to be sent to the Central FAX Number. To give customers time to adjust to the new Central FAX Number, faxes sent to the old number (703-872-9306) will be routed to the new number until September 15, 2005.

After September 15, 2005, the old number will no longer be in service and 571-273-8300 will be the only facsimile number recognized for "centralized delivery".

**CENTRALIZED DELIVERY POLICY:** For patent related correspondence, hand carry deliveries must be made to the Customer Service Window (now located at the Randolph Building, 401 Dulany Street, Alexandria, VA 22314), and facsimile transmissions must be sent to the Central FAX number, unless an exception applies. For example, if the examiner has rejected claims in a regular U.S. patent application, and the reply to the examiner's Office action is desired to be transmitted by facsimile rather than mailed, the reply must be sent to the Central FAX Number.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2600.

GABRIEL GARCIA  
PRIMARY EXAMINER



Gabriel I. Garcia  
Primary Examiner  
October 19, 2005